

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KUANG-BAO OU-YOUNG,

Plaintiff,

vs.

COUNTY OF SANTA CLARA, ET AL.,

Defendants.

Case No.: 4:21-CV-07922-YGR

ORDER OF DISMISSAL

Re: Dkt. Nos. 36, 38, & 40

On December 21, 2021, this Court issued an order to show cause why plaintiff's complaint should not be dismissed for failure to state a claim. (Dkt. No. 38.) Plaintiff is a vexatious litigant subject to two screening orders. In addition to naming parties limited by the screening order, the complaint was deficient in several fundamental ways. As outlined by the order to show cause, the complaint named dozens of government officials, court personnel, prosecutors, and their staff. These individuals are protected by different immunities. The Court also highlighted that the complaint failed to allege sufficient and plausible facts to state any legal claim against any defendant.

Rather than address the specifics of the order to show cause, the plaintiff filed a "motion for summary judgment" on January 27, 2022. (Dkt. No. 40.) Although the motion for summary judgment is premature and procedurally improper, the Court liberally construed the contents given plaintiff's pro se status. Plaintiff's motion attempts to revise several issues that this Court already addressed by prior order: primarily that the pre-screening orders are unlawful. The plaintiff also argues that the undersigned has implicated herself in a scheme to deprive the plaintiff of his substantive rights by declining to remand this case, enforcing the pre-screening orders, and refusing

1 to issue orders to show cause against judicial officers and the government under various criminal
2 statutes for their roles in connection with the pre-screening orders. All of these issues have been
3 addressed by prior orders that still control. (Dkt. Nos. 29 & 35.) Indeed, the order to show cause
4 warned the plaintiff that the Court will not consider argument seeking to vacate the screening orders
5 on the grounds that law of the case has been established on this point. The “motion for summary
6 judgment” does precisely that.

7 Based on the foregoing, and for the reasons stated in the December 21, 2021, order to show
8 cause, the case is **DISMISSED WITH PREJUDICE**. (Dkt. No. 38.) Plaintiff’s motion to disqualify the
9 United States Attorney General’s office is denied as **MOOT**.

10 This order terminates Docket Numbers 36 and 40. The Clerk is **DIRECTED** to close the case.

11 **IT IS SO ORDERED.**

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13 Dated: February 10, 2022

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15 YVONNE GONZALEZ ROGERS
16 UNITED STATES DISTRICT COURT JUDGE
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